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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,287	10/05/2001	Iraj Parchamazad	F99182	6007

7590 05/21/2003
A. M. Fernandez
2933 Motor Avenue
Los Angeles, CA 90064

EXAMINER

RIDLEY, BASIA ANNA

ART UNIT PAPER NUMBER

1764

DATE MAILED: 05/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/973,287

Applicant(s)

PARCHAMAZAD, IRAJ

Examiner

Basia Ridley

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 6) ☐ Other: _____

DETAILED ACTION

Oath/Declaration

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

Non-initialed and/or non-dated alterations have been made to the oath or declaration. See 37 CFR 1.52(c), see arrow by the signature of the inventor.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 27' and 28' recited on page 7, lines 2-4. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claim(s) 1-4 is/are objected to because of the following informalities: in claim 1 recitation "qlso" (P8/L18) should be replaced with --also-- . Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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5. Claim(s) 1-4 is/are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, the recitation "said steam tube diameter forming an outflow end for said fuel tube" renders said claim vague and indefinite. It is not clear what is the relationship between steam tube diameter and outflow end for said fuel tube.

Claim Rejections - 35 USC § 102 or 35 USC § 103

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim(s) 1-4 is/are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Fischer et al. (USP 3,718,506).

Regarding claims 1, Fischer et al., in Fig. 2, discloses a reformer comprising:

- a cylinder (13) comprising catalyst with a cap at each end (Fig. 2);
- a fuel tube (3') for introducing a hydrocarbon gas into said cylinder (13) having an outflow end coupled to said cylinder (13) through a cap at one end of said cylinder (13);
- a steam tube (3a') coaxial with said fuel tube (3') and surrounding said fuel tube (3') for

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introducing steam through said cap at one end of said cylinder (13), said steam tube (3a') having a tip of finite length at its outflow end that is gradually reduced in diameter over its length to form a truncated conical tip, with its open end of smaller diameter than said steam tube diameter (Fig. 2);

- an outflow tube protruding outwardly from said cylinder through an end cap at an end of said cylinder opposite of said one end (Fig. 2);
- wherein said steam tube extends to said outflow end of said fuel tube not only for flowing steam to draw out said hydrocarbon gas for mixing with said steam, but also flows through a core of said fuel outflow in a direction that is at an acute angle with the direction of fuel outflow core, which is substantially along the axis of said coaxial fuel and steam tubes, thereby causing steam to cross said fuel outflow at an acute angle from all radial directions (Fig. 2);

Fischer et al., in Fig. 2 and C5/L20-23) teaches catalyst bed that appears to be the same as, or an obvious variant of the loosely packed palletized catalyst bed set forth in the instant claim.

Regarding claims 2 and 4, Fischer et al., in Fig. 2, discloses all of the claim limitations as set forth above. Additionally the reference discloses the reformer wherein:

- said fuel tube (3') has a tip of finite length at its outflow end that is reduced in diameter gradually along said finite length (Fig. 2);
- said reformer comprising a heat exchanger (10') around said cylinder (13) for heating said catalyst.

Regarding claim 3, Fischer et al., in Fig. 2, discloses all of the claim limitations as set forth above. Additionally, the reference discloses the reformer wherein said hydrocarbon gas is propane (C3/L52-53). While the reference does not explicitly disclose that said propane is stored as liquid in a container, since propane is customarily stored and transported in liquid form, a presence of

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said container for storing liquefied propane is inherent in the apparatus of Fischer et al.

Regarding limitations recited in claims 1-4 which are directed to a manner of operating disclosed reformer, the examiner notes that neither the manner of operating a disclosed device nor material or article worked upon further limit an apparatus claim. Said limitations do not differentiate apparatus claims from prior art. See MPEP § 2114 and 2115.

Instant claim(s) 1-4 structurally read(s) on reformer of Fischer et al.

Conclusion

9. In view of the foregoing, none of the claims are allowed.

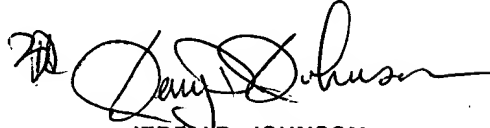
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Basia Ridley, whose telephone number is (703) 305-5418. The examiner can normally be reached on Monday through Thursday, from 8:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Caldarola, can be reached on (703) 308-6824.

The fax phone number for Group 1700 is (703) 872-9311 (for Official papers after Final), (703) 872-9310 (for other Official papers) and (703) 305-6078 (for Unofficial papers). When filing a fax in Group 1700, please indicate in the Header (upper right) "Official" for papers that are to be entered into the file, and "Unofficial" for draft documents and other communication with the PTO that are not for entry into the file of the application. This will expedite processing of your papers.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.

Basia Ridley
Examiner
Art Unit 1764


JERRY D. JOHNSON
PRIMARY EXAMINER
GROUP 1100

BR
May 19, 2003